

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

DR. LUIS G. GUILLEN,)
)
Plaintiff,)
)
-vs-) CIVIL NO: 03-4236-JPG
)
SOUTHERN ILLINOIS HOSPITAL)
SERVICES, D/B/A MEMORIAL)
HOSPITAL OF CARBONDALE, A)
CORPORATION; GEORGE MARONEY;)
WILLIAM M. SHERWOOD;)
JOHN DOE; JANE DOE; JOHN SMITH)
and JANE SMITH,)
)
Defendants.)

**MEMORANDUM AND
ORDER TO SHOW CAUSE**

This matter comes before the Court on the motion for summary judgment filed by defendants Southern Illinois Hospital Services d/b/a Memorial Hospital of Carbondale, George Maroney and William F. Sherwood (Doc. 63). Pursuant to Local Rule 7.1(c), plaintiff Luis G. Guillen's ("Guillen") response was due 30 days after the motion for summary judgment was filed, and the Court has denied Guillen's request for an extension of time. The Court may, in its discretion, construe a party's failure to file a timely response as an admission of the merits of the motion. Local Rule 7.1(c).

The defendants filed their motion for summary judgment on December 30, 2005. More than a month has passed without a response from Guillen. The Court hereby **ORDERS** Guillen to **SHOW CAUSE** on or before February 17, 2006, why the Court should not construe his failure to timely respond to the defendants' motion for summary judgment as an admission of the merits of the motion and grant summary judgment for the defendants.

The Court further notes that Guillen failed to attend the final pretrial conference in this case on February 3, 2006. At that hearing, the defendants' counsel enumerated other deficiencies in Guillen's participation in this case. The Court hereby **ORDERS** that the plaintiff shall have up to and including February 17, 2006, to **SHOW CAUSE** why this case should not be dismissed for lack of prosecution pursuant to Federal Rule of Civil Procedure 41(b) and the Court's inherent authority to manage its docket. *See In re Bluestein & Co.*, 68 F.3d 1022, 1025 (7th Cir. 1995).

Failure to respond in a timely manner to this order may result in dismissal of this action for lack of prosecution pursuant to Federal Rule of Civil Procedure 41(b) and the Court's inherent authority to manage its docket. *See In re Bluestein & Co.*, 68 F.3d at 1025.

The Clerk of Court is **DIRECTED** to fax this order to Guillen at (787)991-0136 in addition to mailing it to him.

IT IS SO ORDERED.
DATED: February 3, 2006

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE